

Minutes of the Planning Commission meeting held on Thursday, October 1, 2009, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jeff Evans, Chair
 Jim Harland, Vice Chair
 Karen Daniels
 Kurtis Aoki
 Tim Taylor
 Sheri Van Bibber
 Tim Tingey, Director of Community & Economic Development
 Ray Christensen, Senior Planner
 G.L. Critchfield, Deputy City Attorney
 Citizens

Excused: Ray Black

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Department.

Jeff Evans opened the meeting and welcomed those present. Mr. Evans announced that Agenda Item #5, Sandbox Theater Company, and Agenda Item #8, Fireclay Investment Partners, have been withdrawn.

APPROVAL OF MINUTES

Ms. Van Bibber made a motion to approve the minutes as written for September 17, 2009. Seconded by Karen Daniels.

A voice vote was made. The minutes were approved unanimously, 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest noted regarding this agenda.

APPROVAL OF FINDINGS OF FACT

Tim Taylor made a motion to approve the Findings of Fact for a Conditional Use Permit for Life Center Medical. Seconded by Kurtis Aoki.

A voice vote was made. The motion passed unanimously, 6-0.

THE HALE COMPANY – 480 West 4800 South, Project #09-30

There was not an applicant present to represent this request. Ray Christensen presented the review for revocation of a Conditional Use Permit for The Hale Company, located at 480 West 4800 South. This property is located in the M-G-C zone. The property was converted from a residential zone to a crane storage business. The Planning Commission approved a Conditional Use Permit for a contractor storage yard on May 21, 2009. At that time The Hale Company was advised that the site improvement requirements would need to be completed by August 21, 2009. Upon

inspection it was found that the improvements were not completed. The applicant was notified by staff of this revocation hearing. The applicant submitted a letter dated September 14, 2009 indicating that the use will no longer include an office use as originally requested, and also indicating his intent to comply with the conditions of approval.

Jim Harland asked if the applicant offered any explanation as to why they didn't comply with the conditions. Mr. Christensen replied that the only explanation provided from the applicant is the letter of September 14, 2009, and it does not state why the conditions haven't been met up to this point.

Tim Tingey stated that the Notice of Intent to Revoke Conditional Use Permit was hand delivered to the applicant on September 11, 2009, and that there had been conversations with the applicant regarding this action. Additionally, Mr. Tingey stated that a notice regarding this meeting was included in the information given to the applicant.

Sheri Van Bibber stated that not a single condition has been met.

Jerry Bybee, 473 West 4800 South, stated that his wife, Sophie, has owned the building across the street from this property since 2003. Initially they were happy that someone was going to do something with the lot because it had always been a weed patch. Mr. Bybee stated that there was initially some grading done on the lot and some bushes removed, but over the past few months nothing else has happened. Mr. Bybee stated that his wife is preparing to sell her building, and the condition of the property across the street won't help in marketing the building. He stated that the property is a detriment to the neighborhood.

Mr. Evans explained that if a motion carries tonight to revoke the Conditional Use Permit, the property owner would have 30 days from the commission meeting approving the Findings of Fact to remove all of the equipment that is being stored at that site. Ms. Van Bibber asked Mr. Bybee if he had noticed if the cranes are stored with their booms upright, as the conditions indicated they should be stored with their booms fully lowered and retracted. Mr. Bybee replied that occasionally a few of them will be lowered, but more often they are stored upright and that a large crane that has been stored on the site has never been lowered.

Karen Daniels made a motion to revoke Conditional Use Permit #09-30 due to noncompliance to the Conditions of Approval for The Hale Company, located at 480 West 4800 South, and that the applicant is required to remove all equipment from the site within 30 days of the Commissions approval of the Findings of Fact. No approvals will be issued for the site until all equipment has been removed, and after the equipment has been removed the applicant may reapply for a Conditional Use Permit. Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Ms. Daniels

A Ms. Van Bibber

A Mr. Taylor
A Mr. Harland
A Mr. Evans
A Mr. Aoki

Motion passed, 6-0.

COTTONWOOD CONFLUENCE SUBDIVISION – 4314 S. Zevex Park Lane, Project #09-78

Craig Ames was the applicant present to represent this request. Ray Christensen reviewed the location and request to amend the Cottonwood Confluence Center Subdivision Phase 2 for preliminary and final subdivision approval to combine Lots 1, 3A and 3B into one parcel, at the property addressed 4314 South Zevex Park Lane. The property is located within the M-G-C zone. The applicant is requesting to combine the 3 lots into one parcel so that with future building additions the setback requirements will be met. The various City departments have recommended approval, and staff is requesting that the Planning Commission send a recommendation of approval to the Murray Mayor for preliminary and final subdivision approval.

Craig Ames, 5263 South 300 West, is an architect with Pasker, Gould, Ames and Weaver, and is present on behalf of Moog Medical. Mr. Ames stated that the master plan includes doubling the size of the facility with an addition to the north. They want to be able to complete the addition without crossing the lot line, which is why they are requesting the combining of lots. There is no change of the perimeter boundary of the lots, the request is only to eliminate the interior lot lines. Mr. Ames stated that Moog Medical has some leased space within the Cottonwood Confluence Park area, and once those leases are up they want to relocate within a single location. Mr. Ames confirmed that he has received a copy of the staff report, and that the conditions will be met.

There were no public comments made pertaining to this agenda item.

Jim Harland made a motion to send a recommendation of approval to the Murray Mayor for the preliminary and final subdivision approval for the Cottonwood Confluence Center Subdivision Phase 2, for combining lots 1, 3A and 3B into one parcel. The property is located at 4314 South Zevex Park Lane, and is subject to conditions:

1. Meet the requirements of the Murray City Engineer for the recording of the plat at the Salt Lake County Records Office.
2. Show utility easements on the property to meet the city Department requirements.
3. Meet all Murray Fire, Water, Sewer and Power Department requirements.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Mr. Taylor
A Ms. Daniels
A Ms. Van Bibber
A Mr. Harland
A Mr. Evans
A Mr. Aoki

Motion passed, 6-0.

TERRA FIRMA PROPERTIES – 6105 S. Fashion Blvd., Project #09-80

Chas Johnson was the applicant present to represent this request. Ray Christensen reviewed the location and request for a General Plan Amendment and zone change. The property is currently located within the R-1-8 residential zone, and the General Plan has the property designated for residential single family low density. The property is located at the east side of the intersection of 6100 South and Fashion Boulevard. The applicant is proposing a general office use on the property. Currently there is a dwelling on the lot. Directly adjoining this property to the north and east is an office building and parking lot which has an irregular zone boundary. If the zone change is approved, a masonry wall will be required adjoining the residential properties to the south which front on 6220 South Street. There are unique conditions relating to this particular property due to its location and the frontage on Fashion Boulevard, which is a high traffic volume area. Mr. Christensen stated that staff has determined that the property appears to be more compatible with office uses, and staff is recommending a positive recommendation from the Planning Commission to the City Council.

Chas Johnson, 9900 South 300 West #3, is with Rockworth Company and is representing the applicant. Mr. Johnson stated that he has not seen a copy of the staff report, but he appreciates the positive recommendation. Staff then provided Mr. Johnson a copy of the staff report, which he reviewed. Mr. Johnson stated that he didn't see anything in the report that he would be opposed to and nothing further to add to the presentation. He stated that there are no immediate plans to develop the property, but he anticipates the future use as a dental office or small medical office.

There were no public comments related to this agenda item.

Kurtis Aoki asked Ray Christensen if there was a potential for the homes on 6220 South to change zoning as well. Mr. Christensen responded that there has been interest expressed in changing the zoning to office use, but in reviewing the frontage of those properties staff would not recommend a zone change for those homes.

Jim Harland made a motion to send a positive recommendation to approve a General Plan Amendment and Zone Map Amendment for the property located at 6105 South Fashion Place Boulevard and changing the zoning designation from R-1-8 to G-O.

Seconded by Karen Daniels.

Call vote recorded by Ray Christensen.

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A Mr. Taylor
A Ms. Daniels
A Ms. Van Bibber
A Mr. Harland
A Mr. Evans
A Mr. Aoki

Motion passed, 6-0.

Meeting adjourned.

Ray Christensen, AICP
Senior Planner